

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
LOANDEPOT.COM, LLC,

Plaintiff,

-v-

CROSSCOUNTRY MORTGAGE, LLC, et al.,

Defendants.

CIVIL ACTION NO.: 22 Civ. 5971 (LGS) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the telephonic discovery conference held on April 21, 2023 (the “Conference”), the Court orders as follows:

1. The Individual Defendants shall promptly:

- a. Obtain and produce forensic images of the USBs of Individual Defendants Michael Secor (“Secor”) and Enrico Martino identified in response to the Court’s March 29, 2023 Order (ECF No. 320 ¶ 4 (the “Mar. 29 Order”)).
- b. With respect to the USB of Individual Defendant Keisha Antoine identified in response to the Mar. 29 Order, obtain and produce forensic images of only those files that contain or may contain documents concerning or relating to Plaintiff loanDepot.com LLC (“loanDepot”).
- c. Ascertain and provide to loanDepot’s counsel a timetable for obtaining and producing forensic images of responsive files on Secor’s personal laptop and the home computer of Individual Defendant Stuart Kolinsky identified in response to the Mar. 29 Order. The Individual Defendants’ counsel shall be

prepared to discuss this information at the discovery conference scheduled below.

- d. Obtain and produce forensic images of the responsive files on the external hard drive of Individual Defendant Robert London identified in response to the Mar. 29 Order.
2. loanDepot's production of the time reports and paystubs for Individual Defendant Emeline Ramos identified in response to the Mar. 29 Order (ECF No. 320 ¶ 5) is DEFERRED to the end of fact discovery.
 3. loanDepot shall promptly conduct a reasonable search of the text messages and personal emails of Kirstie Holmes ("Holmes"), Manrique Pena ("Pena"), Chad Ulmer ("Ulmer"), and Christopher Vondra ("Vondra") for communications:
 - a. with any loanDepot employee (i) with respect to Holmes, Pena, and Vondra, between sixty (60) days prior to their final day of employment with Defendant CrossCountry Mortgage, LLC ("CrossCountry") and thirty (30) days after their first day of employment with loanDepot, and (ii) with respect to Ulmer, between ninety (90) days prior to his final day of employment with CrossCountry and thirty (30) days after his first day of employment with loanDepot; and
 - b. concerning their recruitment to loanDepot; or
 - c. with or concerning Stillwell, Seeman, or Alvarez; or
 - d. as to Ulmer, with or concerning McCall.

4. loanDepot shall promptly produce all communications pursuant to this Paragraph 3, except that, with respect to responsive communications from the thirty (30) days after these employees' first day of employment with loanDepot, loanDepot need only produce the first twenty (20) responsive communications.
5. With respect to loanDepot's Fed. R. Civ. P. 30(b)(6) deposition(s):
 - a. The parties shall meet and confer as to topics 8–10, 13, 19, 20–22, and 24 in CrossCountry's Amended and Restated (and/or Supplemental) Notice of Rule 30(b)(6) Deposition of Plaintiff loanDepot.com, LLC (ECF No. 330-2 ("CrossCountry's Notice")), and corresponding topics in the Individual Defendants' Fed. R. Civ. P. 30(b)(6) notice to loanDepot, to reach agreement on these topics, the witnesses to be designated, and dates for the deposition(s).
 - b. The depositions of Ulmer and Vondra shall be limited to two hours of on-the-record time each.
 - c. loanDepot shall produce a Fed. R. Civ. P. 30(b)(6) witness, or may designate Ulmer and Vondra, to address topics 5–7 of CrossCountry's Notice.
 - d. loanDepot and CrossCountry shall continue to meet and confer as to topic 23 of CrossCountry's Notice, and may raise any remaining dispute(s) at the discovery conference scheduled below.
6. With respect to CrossCountry's response to loanDepot's Third Set of Requests for Production, CrossCountry shall produce, in response to Request No. 6 (ECF No. 331-5

at 13), branch-level financial statements for its Brooklyn, Cranford, Purchase, Danbury branches from 2019 to the present.

7. CrossCountry's request to depose loanDepot employee Jeff Walsh, and loanDepot's request to depose CrossCountry executive Ron Leonhardt are HELD IN ABEYANCE.
8. With respect to Request No. 42 of CrossCountry's Amended Second Set of Requests for Production, loanDepot stated at the Conference that it expects to produce responsive documents by April 28, 2023.
9. Per the agreement of the parties at the Conference, the deposition of Mark McGowen is scheduled for May 3, 2023.
10. The deposition of Steve Rennie is limited to two hours of on-the-record time.
11. The parties shall meet and confer as to the deposition of Melanie Salloum.
12. A telephonic status conference is scheduled for **Friday, May 5, 2023 at 1:30 pm**, on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time. By **12:00 pm on May 4, 2023**, any party wishing to do so may file a letter of no longer than three (3) pages listing discovery disputes requiring the Court's attention.
13. The parties shall order a transcript of the Conference and file it on the docket. The parties shall submit a single request to: etranscripts@nysd.uscourts.gov by **April 25, 2023**.

Dated: New York, New York
April 24, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge